

## Appendix J – Federal Race/Ethnicity Provision

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In October 2007, the United States Department of Education (USDE) issued their final guidance to educational institutions on the adoption of new federal standards for collecting and reporting race and ethnicity for students and staff. The Texas Education Agency (TEA) implemented the new federal standard beginning with the 2009-10 school year. That year, TEA collected race and ethnicity under both the new and former definitions, allowing for one year of transition.

Beginning with the 2010-11 data collection, race/ethnicity data were collected using the new definitions only. The test answer document is the primary source for race/ethnicity information for assessment participation and performance data. The 2010-11 Texas Assessment of Knowledge and Skills (TAKS) answer documents were pre-coded from Public Education Information Management System (PEIMS) with the new definitions. As with all demographic information that is pre-coded on the answer documents, changes can be made at the time of testing.

### Comparison of Former and New Definitions

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Under the former race/ethnicity categories, five reporting categories were available. Under the new race/ethnicity categories, seven reporting categories are available; one ethnic category (Hispanic/Latino), five individual race categories, and one multiple-race category.

**Table 34: Comparison of Race and Ethnicity Categories, 2010 vs. 2011**

<b>Former Race/Ethnicity Categories</b> (prior to and including 2009-10 school year)	<b>New Race/Ethnicity Categories</b> (beginning with 2009-10 school year)
Native American	American Indian or Alaska Native
Asian or Pacific Islander	Asian
	Native Hawaiian or Other Pacific Islander
Black or African American	Black or African American
Hispanic	Hispanic/Latino
White	White
(not available)	Two or More Races

Under the new reporting definitions, respondents who select “Hispanic/Latino” for ethnicity will be counted in this category for aggregate reporting, regardless of the responses provided to the question on race. Respondents who select “Not Hispanic/Latino” for ethnicity and only one category for race will be counted in the single racial category. Respondents who select “Not Hispanic/Latino” for ethnicity and more than one category for race will be counted in the category “Two or More Races.”

### Accountability Student Groups

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A fundamental feature of Texas’ accountability systems [state and federal Adequate Yearly Progress (AYP)] is that the performance of individual student groups is considered in determining ratings or statuses. While the specific student groups used varies between systems, both the AYP and state rating systems include an evaluation of the three most

populous race/ethnicity categories in the state: African American, Hispanic, and White. Under the 2011 state and AYP systems, indicators based on 2010-11 data will use the new, federal definitions for African American, Hispanic, and White. Even though there are more reporting categories under the federal definitions (seven instead of five), no additional racial or ethnic student groups will be evaluated in the state or federal accountability systems. This means results for students who indicate they are Two or More Races will be evaluated in the All Students student group only and not among the three individual race/ethnicity accountability student groups (African American, Hispanic, or White).

## **Federal Race/Ethnicity Provision**

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Data collected for the 2009-10 and 2010-11 school years show that a large number of multiracial students who are now categorized as Two or More Races would have been included in either the African American or White student groups using the former definitions. The loss of these students from the African American or White groups could have an adverse effect on the group's performance. To minimize the impact of the new definitions on 2011 accountability, TEA will apply the Federal Race/Ethnicity Provision. This provision will apply to the TAKS Met Standard indicator used for state accountability ratings and the Reading and Mathematics performance and participation results used for the AYP statuses. Under this provision, certain students coded as Two or More Races in 2011 will be re-attributed to either the White or African American student groups based on their racial category on the spring 2010 TAKS answer documents.

If the addition of these students into the White and/or African American groups results in a higher rating or status, then the campus or district will be assigned the higher outcome.

This provision applies for the 2011 accountability year only. Under state standard procedures only the TAKS Met Standard indicator is subject to the provision. Under state Alternative Education Accountability (AEA) procedures only the TAKS Progress indicator is affected. Under AYP, it applies to the Reading and Mathematics performance and participation results.

This provision does not apply to the ELL Progress, Annual Dropout Rate, Completion Rate, or Graduation Rate indicators. The provision does not apply to any Gold Performance Acknowledgment (GPA) indicators. For a complete list of the race and ethnicity definitions used for these indicators, see *Appendix D* of this manual, or the *2011 AYP Guide*.

The provision will be applied automatically; there is no need to request it. The official accountability data for the assessment indicator(s) will be the data that does not include the multiracial students in the separate student groups. If a campus or district rating is raised due to this provision, a message on the data tables will state the provision was used.

## **STUDENTS IDENTIFIED**

Under this provision, students who indicate their ethnicity is not Hispanic/Latino and select multiple races that include both African American and White will be identified based on information submitted on their 2010-11 test answer documents at the time of testing.

The former race/ethnicity definitions for these students will be obtained from the 2009-10 TAKS answer documents. For students reported as African American or White in 2009-10, their 2011 performance will be added to the African American or White student group performance, respectively. Students reporting more than one race that includes both African

American and White are eligible for redistribution. Of these students, only the performance of those reported as either African American or White in 2009-10 TAKS results are redistributed to the appropriate student group.

## METHODOLOGY

Under the Federal Race/Ethnicity Provision, all accountability systems (AYP, state standard, and state AEA) are computed using the modified student group performance. If the recalculated African American and White student group result produces a higher rating for a campus or district, the higher rating will be assigned. The use of the Federal Race/Ethnicity Provision can only elevate accountability outcomes. In no case will the provision be used to lower a rating or status.

The performance of *all* the identified students will be redistributed: both those who meet the TAKS passing standard and those who do not.

Redistributed students will increase the size of the African American and White groups. As a result, the number of student groups meeting the minimum size criteria may also increase.

Modified student group results will affect improvement or safe harbor calculations.

The performance of identified students will be redistributed into all subjects. An improved accountability outcome is only achieved if the additional students' performance (or participation) in every relevant subject supports a better outcome. The performance of the additional students cannot be used for some subjects but not others.

## OTHER INFORMATION

- *Prior Year Unavailable.* Race/ethnicity under the former definition will be available only for students that can be matched in the prior year. No prior-year information will be available for some students, such as grade 3 students or students who moved to the state during the 2010-11 school year.
- *Prior Year Ethnicities on TAKS.* For students with multiple occurrences of ethnicity information on the prior year TAKS answer documents, the latest ethnicity will be used. This may mean a student's prior year ethnicity used for purposes of the Federal Race/Ethnicity Provision may not be the same as the ethnic group used for this student in the 2010 accountability system outcomes.
- *Values shown on Accountability Data Tables.* The official accountability results shown on all accountability products and reports, such as data downloads and accountability data tables will reflect the African American and White student group performance without the redistributed results.
- *More than one Rating Category.* If the provision results in a higher state accountability rating, the highest rating will be assigned even in the unlikely event that the new rating is more than one category higher than the initial rating.
- *Required Improvement/Safe Harbor.* Under the Federal Race/Ethnicity Provision, the recalculated student group results will be compared to the corresponding prior year results in order to evaluate Required Improvement for state accountability and apply the Safe Harbor provision for federal accountability. The prior year performance (or participation) results reported on the current year data table remain unchanged under the

calculations for this provision. The amount of actual change (current year minus prior year) will differ from the official data, however, the amount of improvement or performance improvement/safe harbor needed is unchanged under this provision.

- *Exceptions Provision.* Under the Federal Race/Ethnicity Provision, the recalculated state student group performance could have an effect on the use of exceptions. No additional exceptions will be charged and no exceptions will be removed due to the application of this provision. If a higher rating is achieved through the use of one or more exceptions that were not used prior to the provision, the higher rating will be awarded and no additional exception(s) will be charged. If the use of the provision results in the same rating outcome but eliminates the need for one or more exceptions to obtain the same rating, the use of the exception(s) will not be withdrawn. Reuse of exceptions is not an issue in 2012 since no state ratings will be assigned that year.
- *Appeals.* Given districts and campuses will have the benefit of rating evaluations calculated under two student group options, state and federal appeals related to the race/ethnicity student groups for the assessment indicators will not be considered in 2011. See *Chapter 15* of this manual or the *2011 AYP Guide* for more details.

## **SAFEGUARDS**

In order to monitor possible manipulation of the race/ethnicity data for accountability purposes, the agency plans to conduct analyses to identify districts and campuses with significant discrepancies between the percent of students who are classified as Two or More Races on the spring 2011 assessment documents and the fall 2010 PEIMS enrollment files.

## **TOOLS TO ASSIST DISTRICTS**

To assist districts interested in seeing which students' results were subject to the Federal Race/Ethnicity Provision, new products will be available at the TEA Secure Environment (TEASE).

For each accountability system, student-level information of the affected students is provided that shows the students selected for redistribution into the African American and White student groups. Only students selected for redistribution are identified on each of the accountability products (AYP, state standard, and state AEA).

For state accountability ratings, the student level information will be available on July 19, 2011 concurrent with the release of the Preview Data Tables. For AYP, the student level information will be available on July 27, 2011 concurrent with the release of the Preliminary AYP Data Tables.

## **Helpful Links**

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See *Appendix F* of the *2011-2012 PEIMS Data Standards* at:

<http://www.tea.state.tx.us/WorkArea/linkit.aspx?LinkIdentifier=id&ItemID=2147497826&li bID=2147497823>.

A copy of the final guidance published in the Federal Register can be found at <http://www2.ed.gov/legislation/FedRegister/other/2007-4/101907c.pdf>.

This reporting standard was used during the 2000 Census.